

department director.

Employees reclassified through the career ladder process receive an increase in salary in the same manner as a promotion.

### **Section 3-12: Pay Scale Adjustments**

Periodically, as market conditions warrant, the Board of Supervisors may approve pay scale adjustments for the classified staff. Employees receive the same percentage increase with the exception of those who are above the total salary for their pay grade. In such cases, the salary of the affected employees is not changed until such time as the adjusted pay scale exceeds the individual's salary.

### **Section 3-13: Premium Pays**

Premium pays are authorized as follows.

a. **Overtime Premium Pay.** Overtime may be approved when necessary to accomplish particular tasks. The County Administrator shall designate those positions eligible for overtime pay or compensatory leave and those not eligible for such pay or leave in accordance with the standards of the Fair Labor Standards Act (FLSA). Positions designated as exempt or non-exempt from the provisions of the FLSA are so identified on

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the approved County Pay Plan.

The overtime rate is one-half times the regular hourly rate of pay, in addition to the regular hourly rate. Any compensation paid for a leave of absence is not counted as hours worked for overtime purposes, except as provided below for station personnel assigned to the Division of Fire and Rescue. Hours worked on holidays, are not counted as hours worked for overtime purposes. When a holiday falls within a work cycle, the threshold number of hours required for overtime eligibility is reduced by eight hours for each holiday in that work cycle, or in the case of public safety shift personnel or deputies sheriff the threshold hours are adjusted to reflect the number of hours the employee actually works is regularly scheduled to work on the holiday in question. If the employee leaves prior to the end of the shift, the overtime threshold will be reduced only by the hours actually worked on the holiday. Hours worked which qualify for holiday premium pay do not qualify for overtime pay.

Station personnel assigned to the Division of Fire and Rescue who currently work 120 hours during a 15-day work cycle receive overtime compensation for all hours worked in excess of 114. In accordance with the Code of Virginia, Section, 9.1-700 et. seq., all hours that station personnel work or are in a paid leave status during their regularly scheduled work hours shall be counted as hours worked for the purposes of computing entitlement to overtime compensation. Only hours **actually** worked beyond the regular schedule (i.e. 120 hours) count towards overtime eligibility. Law Enforcement Deputies assigned to the

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Office of the Sheriff who currently work 145 hours in a 25-day work cycle receive overtime compensation for all hours actually worked in excess of 153. Those Law Enforcement Deputies who currently work 160 hours in a 28-day work cycle receive overtime compensation for all hours actually worked in excess of 171. Pursuant to the Fair Labor Standards Act, when changes in the work cycle occur for these employees, the threshold number of hours required for overtime eligibility changes. Overtime pay is received in the pay period for which the overtime work is performed. If circumstances preclude overtime payment during the pay period in which earned, compensatory time off at the rate of one and one half times the number of overtime hours not paid must be taken within the following two pay periods, otherwise, the overtime pay must be enumerated to the affected employee(s) in that pay period.

b. **Holiday Premium Pay.** With the exception of work-as-required employees, dispatchers and shift personnel assigned to Fire and Life Safety or to the Sheriff's Office, employees who do not work on a holiday are entitled to pay equal to the employee's regularly scheduled hours of work, not to exceed (8) hours.

Dispatchers and shift personnel assigned to Fire and Life Safety or to the Sheriff's Office are entitled to receive a seventy-five dollar (\$75) stipend for each holiday on which they do not work as long as they are not in a leave-without-pay status. If an employee works any part of the holiday or leaves work prior to the end of their shift they will receive the stipend as long as they work four (4) hours or less, otherwise they will not be eligible to receive this

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stipend. Except as provided above, the compensation level for such shift personnel and work-as-required employees includes consideration of the irregular work schedule, including shifts, holidays, weekends, nights, etc.

Except for work-as-required employees, non-exempt employees, including dispatchers, deputies sheriff and shift personnel assigned to Fire and Life Safety who work on a holiday receive holiday pay at one time the regular hourly rate of pay in addition to the regular hourly rate. At the discretion of the department director, a non-exempt employee who works on a holiday may be given time off equal to time actually worked in lieu of holiday pay. This time must be taken within the current pay period or not later than the following pay period. An employee who has an unexcused absence or is in a leave-without-pay status for any part of the workday immediately preceding or following a holiday does not receive holiday pay. At the discretion of the Department director, an exempt employee, who works on a holiday, may be given time off equal to time actually worked.

### **Section 3-14: Special Pays**

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(4) **Applause-O-Gram** - Applause-O-Grams are used to foster positive feedback among and between employees for teamwork and cooperation. All employees are encouraged to give Applause-O-Grams to their co-workers as a form of immediate, informal recognition for assistance in everyday activities.

When an employee chooses to recognize a co-worker for actions that reflect cooperation, teamwork or County values, an Applause-O-Gram is presented to the employee with a copy provided to their department head. ~~The presenter should follow the instructions on the Applause-O-Gram.~~ The department head is responsible for recognizing the employee who receives the Applause-O-Gram.

### **Section 5-4: County Administrator Recognition - The Spirit of York Award**

The County Administrator reserves the option to select those employees for recognition whom he considers to have contributed, by deed or example, in an unusually significant fashion. This action is at the sole discretion of the County Administrator and is fully separate and apart from any other Employee Recognition function. Nominations may be submitted, however, for County Administrator consideration by department heads or other County employees.

Selection results in the presentation of the **Spirit of York** lapel pin at a meeting of

**Chapter 6: Provisions for Leaves of Absence**

**Section 6-1: General Provisions**

The County provides a policy for Leaves of Absences for a variety of conditions and reasons. These policies pertain to regular full-time and regular part-time employees, and probationary employees unless they are specifically exempted from any of these provisions. Vacation leave must be requested in advance and sick leave should be requested in advance, if possible. Requests for leave, for other than personal illness or that of an immediate family member, will be granted if in the opinion of the supervisor such leave is not disruptive to normal operations.

An employee, not in an approved leave status, who fails to report to work for two (2) consecutive workdays, shall be separated from employment.

**Section 6-2: Definitions**

a. **Sick Leave.** Sick leave is defined as leave with pay granted for the employee's personal illness or illness of an immediate family member requiring the employee's presence; bodily injury, quarantine, medical or dental appointments; or a temporary

disability.

b. **Immediate Family Members.** For the purpose of this chapter, "immediate family members" are defined as the employee's spouse, parent, guardian, brother, sister, son, daughter, parents-in-law, grandparent, grandchild, step-parent, step-child, or any other individual who normally resides within the same household as the employee. In the case of funeral leave only, relationships in-law are permitted.

### **Section 6-3: Vacation Leave**

a. **Regular Employees.** Regular full-time and regular part-time employees, with the exception of dispatchers and fire and rescue personnel assigned to station duty and deputies sheriff, are credited with and may use vacation leave at the end of six (6) months of service. Dispatchers, fire and rescue personnel assigned to station duty and deputies sheriff are credited with and may use vacation leave at the end of one year of service. New employees who begin work on the 20<sup>th</sup> of the month or sooner shall receive the full accrual of vacation leave for that month. If they begin work on the 21<sup>st</sup> of the month or later no accrual will be credited for that month.

Regular part-time employees receive a prorated amount of the vacation leave benefits of full-time employees. The number of hours earned per month is based on the average number of hours worked per day. For example, an employee who works a four-hour workday earns four (4) hours of vacation leave per month.

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The vacation leave accrual schedule for non-Fire and Rescue full-time employees is as shown in the following table. Employees in County service prior to January 1, 1992 who currently earn leave at a higher level than that authorized in the following table shall not lose such entitlement. The accrual level for this group of employees shall next change when the years of service obtained authorizes a higher level of accrual. For regular part-time employees who become regular full-time employees the number of years of service credited for leave accrual purposes shall be determined by pro-rating the total number of complete months of service based on their full-time equivalency before becoming a full-time employee. For example, an employee who has worked at an FTE of .50 for two (2) years and subsequently becomes a regular full-time employee, shall have the equivalent of 1 year credited to

his or her leave accrual category for leave accrual purposes.

<u>Years of Service</u>	<u>Hours per Month</u>	<u>Hours Per Year</u>	<u>Maximum Hours Allowed Each June 30th and Maximum Hours paid at Separation</u>
0-5	8	96	192
6-10	10	120	240
11-15	12	144	288
over 15	16	192	288

Vacation leave may be taken in half quarter hour increments. Requests for vacation



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leave should be made far enough in advance to permit arrangement of the work schedule. Accruals in an employee's account that are beyond the level allowed in the above table shall be moved to a special inactive leave account, as described in Section 6-3(e). For regular part-time employees, the maximum hours allowed each June 30th is prorated based on the employee's FTE (Full-time equivalency) rating.

b. **Fire and Rescue Employees.** Vacation leave for those fire and rescue employees assigned to station duty and who work twenty-four (24) hour shifts is credited after 12 months of service with the County. Thereafter, vacation leave is credited at the end of each successive 12-month period. The vacation leave accrual schedule for these employees follows:

Years of Completed <u>Service</u>	Hours per <u>Month</u>	Hours per <u>Year</u>	Maximum Hours paid <u>at Separation</u>
0-5	12	144	268
6-10	15	180	336
11-15	18	216	403
over 15	24	288	403

The total amount of credited vacation days must be taken at one time during the year, unless otherwise approved by the Fire Chief. All leave must be used within 12 months of being credited to the employees leave account and may not be carried forward

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to the next employment year.

c. Vacation leave accruals paid to employees who leave County service is covered in Sections 6-9 (b) and (c).

d. Probationary employees do not earn or accrue entitlement to vacation leave and are not compensated for vacation leave if separated from County service during the probationary period; however, upon successful completion of the probationary period leave is granted retroactive to the first full month of service.

e. **Inactive Leave Account.** Each June 30th, vacation leave that exceeds the established maximums will be moved into a special inactive leave account. For Fire and Rescue employees, vacation leave that exceeds the established maximums is moved to the inactive leave account on the anniversary of the employee's hire date. Balances in this account will, in no way, affect current policies with respect to leave usage, leave maximums, or compensation upon termination. These balances will only become available under the following circumstances.

(1) The employee's department director declares that all other accrued sick and vacation leave hours have been used and the inactive balance is the only alternative to sick leave without pay.

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(2) Specific approval of the County Administrator has been obtained to utilize the inactive account balance.

f. **Station Personnel Vacation Leave Conversion.** The accrued vacation leave for employees of the Fire and Rescue Service who because of a change in positions which results in a change in work schedule is converted as follows:

(1) If the change is from a 2912 hour per annum work schedule to a 2080 hour schedule, the total accrued hours are divided by a factor of 1.4.

(2) If the change is from a 2080 hour per annum work schedule to a 2912 hour schedule, the total accrued hours are multiplied by a factor of 1.4.

g. Although not normally the practice, it may from time to time be necessary to negotiate the vacation accrual in order to attract and retain qualified individuals. In these cases, the County Administrator may approve vacation accrual that is greater than the standard benefit.

### **Section 6-4: Sick Leave**

a. **Entitlement.** Regular full-time and regular part-time employees earn sick leave

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at the rate of eight hours per month for each full calendar month of service. New employees who begin work on the 20<sup>th</sup> of the month or sooner shall receive the full accrual of sick leave for that month. If they begin work on the 21<sup>st</sup> of the month or later no accrual will be credited for that month. For fire and rescue employees who work 24-hour shifts, the definition of "one day" for sick leave accrual purposes is 12 hours. Regular part-time employees receive a prorated amount of the sick leave benefits of full-time employees and the number of hours earned per month is based on the average number of hours worked per day. For example, a part-time employee who works a four-hour workday earns four (4) hours of sick leave per month. Sick leave may be accumulated without limitation.

b. **Usage.** Sick leave may be taken in ~~half~~quarter-hour increments and may be used because of personal illness or illness in the immediate family which requires the presence of the employee. Sick leave may also be used for visits to health providers during working hours with the permission of the supervisor. Employees must keep the supervisor informed of any absence and the anticipated duration from work due to illness, and must, at the supervisor's discretion, present a physician's statement to verify the illness or appointment. For personal illness, the physician's statement must include information about how the illness prevents the employee from performing the essential functions of their job. Whenever possible, requests for sick leave should be made in advance. In the case of personal illness, or unanticipated circumstances, the employee's supervisor must be notified no later than the beginning of the workday or as soon thereafter as is practical. In accordance with generally accepted accounting practices, sick

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leave is debited from an employee's sick leave account by using the first-in first-out (FIFO) method of accounting (notwithstanding the value of such leave as described elsewhere in these policies, when an individual is separated from the County). Fraudulent use of sick leave is considered a serious offense and may be grounds for dismissal.

c. **Station Personnel Sick Leave Conversion.** The accrued sick leave for employees of the Fire and Rescue Service who because of a change in positions which results in a change in work schedule is converted as follows:

(1) If the change is from a 2912 hour per annum work schedule to a 2080 hour schedule, the total accrued hours are divided by a factor of 1.4.

(2) If the change is from a 2080 hour per annum work schedule to a 2912 hour schedule, the total accrued hours are multiplied by a factor of 1.4.

d. **Sick Leave Bank.**

(1) **Purpose.** To establish a Sick Leave Bank which provides income for those County employees who, due to illness or injury, have exhausted all of their accrued sick leave, annual leave and compensatory time, and are not eligible receiving for Workers' Compensation or retirement benefits. The Sick Leave Bank is not designed to provide

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coverage for brief illnesses or injuries (ie. 30 work days or less). The Sick Leave Bank will be continued as long as at least 100 employees agree to participate in accordance with the provisions of this policy.

### **(2) Eligibility for Participation.**

a. Full-time and regular part-time employees who have completed one year of service are eligible to participate. Full-time employees must have a minimum of ten (10) workdays in order to join the Bank. As long as contributions continue to be made, an employee need not maintain ten (10) workdays to continue membership. Sick leave balance requirements for part-time employees shall be prorated according to the sick leave accrual rate as shown in the following example:

<u>Monthly Accrual Rate</u>	<u>Sick Leave Balance Required to Join Bank</u>
4 hours	40 hours
6 hours	60 hours
8 hours	80 hours

b. The equivalent contribution for an 8-hour workday of a public safety employee who works a 24-hour shift is 12 hours. Full-time employees in this category

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must have a minimum of 120 hours in order to join the Sick Leave Bank. Contributions of 12 hours are credited to the Bank as 8 hours. Should a person in this category be approved for use of the Sick Leave Bank, only 8 hours need be withdrawn from the Bank to provide for 12 hours of sick leave to the affected employee.

c. Employees meeting the requirements specified above are eligible to join the Bank effective October 1 of each year. The month of September is designated as open enrollment. Applications must be received by September 30.

### **(3) Requirements for Participation.**

a. Participation in the Sick Leave Bank is voluntary and only those employees who voluntarily contribute time to the Bank are permitted to participate in the plan. Participation does not guarantee the approval of a request to withdraw hours from the Bank.

b. In order to participate initially, each employee is required to contribute one workday of accumulated sick leave to the Bank and agree to any assessment that may be needed to increase the balance in the Sick Leave Bank. (Part-time employees must contribute the equivalent of one workday of sick leave.) Any leave deducted from an employee's sick leave balance for the purpose of the policy is the sick leave that would normally be accrued during the month of September. The sick leave will be deducted using the LIFO (last in first out) method. Participation begins as of the date of contribution.

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Contributions to the Bank are irrevocable and remain in the Bank if an employee cancels his or her participation.

c. In addition, one workday of accumulated leave shall be deducted from the employee's account on the first anniversary of the date of approval of this policy and deposited to the Sick Leave Bank. Thereafter, participating employees are required to contribute one additional day on October 1 of each year unless the number of full time days in the Bank exceeds two times the number of participating employees. If on October 1 the employee has depleted his or her sick leave, the 8 hours earned for the month of September 1 will be automatically deposited in the Sick Leave Bank. A special assessment of one (1) day from each participating employee is required at any time that the number of days in the Bank falls below 50% of the number of participating employees.

### **(4) Eligibility for Benefits.**

a. Provided the employee is a participant, the employee, or someone on his or her behalf, must submit the appropriate request form for a withdrawal of sick leave and send it to the Review Committee in care of the Human Resources Division. A physician's certification of disability of the employee must accompany the request.

b. The Review Committee must act on any request within ten (10) working days following the receipt of an application. Work days are defined as the days in which the administrative offices of the County are customarily open, Monday through



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Friday, not including holidays observed by the County. A 30-work day waiting period, during which Sick Leave Bank benefits may not be awarded, begins on the first day the employee is absent from work as a result of the illness or injury. The equivalent waiting period for a public safety employee who works a 24 hour shift is 10, 24 hour shifts. Only a 5-work day waiting period is required when the disability is related to a previous disability for which the employee was previously determined to be approved to withdraw sick leave hours from the Bank.

c. The Review Committee may request a second opinion from a physician of the Committee's choice at any time and at the employee's expense. The physician shall submit a report directly to the Committee. The report must indicate the nature, extent, and anticipated duration of the disability. Additional physician certification may be required by the Committee, at the Committee's discretion.

d. Failure to submit any requested physician's certification of disability may result in denial of Sick Leave Bank grants.

e. To be eligible for Sick Leave Bank grants, an employee must have exhausted all of his or her accrued sick, annual, and compensatory leave days, however, an application requesting a Sick Leave Bank grant may be filed with the Review Committee prior to the exhaustion of this leave.